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10 IN RE DYNAMIC RANDOM ACCESS  
11 MEMORY (DRAM) ANTITRUST  
12 LITIGATION

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14 This Document Relates To:

15 All Direct Purchaser Actions

16 Master File No. M-02-1486 PJH

17 MDL No. 1486

18 **[PROPOSED] ORDER GRANTING  
DIRECT PURCHASER PLAINTIFFS'  
MOTION FOR AN ORDER  
AUTHORIZING DISTRIBUTION OF  
SETTLEMENT FUND**

19 Judge: Hon. Phyllis J. Hamilton  
20 Courtroom: 3, 3<sup>rd</sup> Floor

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28 [PROPOSED] ORDER GRANTING DIRECT PURCHASER PLAINTIFFS' MOTION FOR  
ORDER AUTHORIZING DISTRIBUTION OF SETTLEMENT FUND – Master File No. M-02-  
1486 PJH

1 Direct Purchaser Plaintiffs' Motion for an Order Authorizing Distribution of the Settlement  
2 Fund ("Motion") came on for hearing on October 28, 2009. The Court previously granted final  
3 approval the settlement agreements reached in these class action proceedings and found that due  
4 and adequate notice of the settlements was provided to the Class. (Dkt. Nos. 1153-55, 1533-36,  
5 1662-64, 1677.)

6 Having considered the Motion, the Declaration of Robin Niemiec in Support of Motion  
7 Authorizing Distribution of Settlement Fund ("Niemiec Declaration"), the Declaration of R.  
8 Alexander Saveri in Support of Direct Purchaser Plaintiffs' Motion for an Order Authorizing  
9 Distribution of Settlement Fund, and all other supporting papers and arguments presented at the  
10 hearing, it is hereby ORDERED that:

11 1. Plaintiffs' Motion is GRANTED.

12 2. The Court finds that a *pro rata* distribution of the Net Settlement Fund (determined  
13 by multiplying each valid claimant's percentage of the total valid claims times the Net Settlement  
14 Fund) is fair, adequate and reasonable.

15 3. The Court further finds that the claims review process, as set forth in the Niemiec  
16 Declaration, was fair, adequate and reasonable, providing a full and fair opportunity for potential  
17 members of the class to submit a valid claim.

18 4. The Claims Administrator's recommendations regarding the ineligibility (Exhibit K  
19 of the Niemiec Declaration) and eligibility (Exhibit L of the Niemiec Declaration) of the claims are  
20 hereby adopted and approved.

21 5. Sufficient funds shall be reserved in the Net Settlement Fund for the payment of  
22 claims administration costs and taxes.

23 6. Until further order of the Court regarding the disputed claims of Kimball  
24 Electronics, Inc. f/k/a Reptron Electronics, Inc. ("Reptron"), Plaintiffs' Counsel shall reserve  
25 Reptron's *pro rata* share of the Net Settlement Fund in escrow until resolution of its claim.

1           7. The Court authorizes distribution of the Net Settlement Fund (less the funds  
2 reserved for claim administration costs, taxes, and Reptron's disputed claims) as set forth in  
3 Exhibit L of the Niemiec Declaration.

4           IT IS SO ORDERED.  
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6 Date: Oct. 28, 2009.  
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